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ATTORNEY DOCKET NO: 70055
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : KNIGHT et al.
Serial No : 09/901,873
Confirm. No : 5953
Filed : July 9, 2001
For : PELLETIZING DIE...
Art Unit : 1732
Examiner : Mark Eashoo
Dated : October 6, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RESPONSE TO REQUIREMENT UNDER 35 USC § 121

In response to the Office Action dated September 4, 2003, Applicant hereby elects the species of Invention I drawn to a pelletizing dye with claims 1 - 8 and 10 - 22.

Applicant respectfully requests that the Examiner reconsider the restriction requirement. The restriction requirement indicates that Groups II and I are related as process and apparatus for its practice. The restriction feels that the apparatus as claimed can be used to practice another and materially different process such as one that extrudes and pelletizes a formed polymer in a manner that it has a fractured surface. Applicant notes that claim 8 sets forth an apparatus in the form of a pelletizing dye which has a polymer channel to extrusion orifice transition zone to prevent melt-fracture. It is Applicant's position that the apparatus of claim 8, and the method of claim 9, are therefore sufficiently related so that a single search would be beneficial. Further, the close relationship between the method and the apparatus are such that

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the apparatus, especially with claim 8, cannot be used to practice a materially different process.

If the Examiner has any comments or suggestions which would further favorable prosecution of this application, the Examiner is invited to contact Applicant's representative by telephone to discuss possible changes.

Favorable action is respectfully requested.

Respectfully submitted
for Applicant,

By: 

Theobald Dengler
Registration No. 34,575
McGЛЕW AND TUTTLE, P.C.

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DATED: October 6, 2003
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